

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

JEROME W. GRIFFIN, for himself)
and all others similarly situated,)
)
Plaintiffs,) **Civil Action No.**
)
)
v.) **2:06-CV-0365-DRB**
)
ALABAMA GAS CORPORATION,)
)
Defendants.)

NOTICE OF DEPOSITION

TO: Alabama Gas Corporation
c/o BRADLEY ARANT ROSE & WHITE, LLP
One Federal Place
1819 Fifth Avenue North
Birmingham, Alabama 35203-2104

PLEASE TAKE NOTICE that on a date and at a time mutually convenient, and Federal Rules of Civil Procedure 30(b)(6), Plaintiff **Jerome W. Griffin**, will take the deposition of **Alabama Gas Corporation**, before a court reporter or some other officer authorized by law to administer oaths. Said deposition shall take place at mutually convenient location and shall continue or be resumed from time to time thereafter until the same has been completed.

Further, note that pursuant to Rule 30(b)(6), said corporation shall designate one or more officers, directors, managing agents, or other persons who consent to testify on its behalf, and that the person so designated shall testify as to matters known or reasonably available to said corporation. The deponent should be able to testify on the following matters:

1. The basis for Alagasco's decision to develop, test, validate, implement, and/or maintain any applicant screening device at issue in this lawsuit;
2. The basis for selecting Omega Consulting (hereinafter "Omega") to develop, test, validate, implement, and/or maintain any applicant screening device at issue in this lawsuit;

3. All communications between Alagasco and Omega regarding the development, testing, validation, implementation or maintenance of any applicant screening device at issue in this lawsuit;
4. All documents provided or received to or from Omega regarding the development, testing, validation, implementation or maintenance of any applicant screening device at issue in this lawsuit;
5. Alagasco's job posting system during the periods relevant to this lawsuit;
6. The requirements for eligibility used by Alagasco to determine which applicants were qualified to sit for any applicant screening device at issue in this lawsuit;
7. The identity of all job openings in which an applicant screening device made the subject of this lawsuit was used to evaluate and select a candidate for promotion.
8. For each position identified in 7 above, the identity of each location for each such vacancy, the date upon which each position became vacant, the date in which each position was posted, the date when each position was filled, and a description of the job duties and responsibilities for each such position.
9. For each position identified in 8 above, the initial rate of pay for each filled vacancy.
10. For each position identified in 7 and 8 above, the identity of persons considered for the job by name and race, including a description of their qualifications.
11. For each position identified in 7 and 8 above, the identify of the person selected for the job.
12. The rates of passage, by race, of any applicant screening device at issue in this lawsuit;
13. Any analysis of whether any applicant screening device made the subject of this lawsuit has an adverse impact on minorities seeking promotion to the positions in which such a device was used;
14. The elements of any applicant screening device at issue in this lawsuit;
15. All efforts to validate any applicant screening device at issue in this lawsuit;
16. Alagasco's business justification for using any applicant screening device at issue in this lawsuit;
17. The basis, if any, for any business justification proffered by Alagasco for using any applicant screening device at issue in this lawsuit;
18. Any efforts by Alagasco to consider, investigate, identify, or utilize any means less restrictive than the applicant screening devices at issue in this lawsuit;

19. The reason or reasons Jerome Griffin was deemed to have failed the Structured Interview Test;
20. The identity by name and race of all persons who participated in Jerome Griffins' Structured Interview Tests;
21. The identity by name and race of all persons who deemed Jerome Griffin to have failed the Structured Interview Test;
22. The identity and components of any training efforts used by Alagasco to assist candidates in developing those skills deemed necessary to successfully complete the Structured interview Test;
23. The retention and disciplinary rates for positions subject to any applicant screening process made the subject of this lawsuit both before and after the implementation of any applicant screening process made the subject of this lawsuit; and,
24. The results of any job satisfaction studies relating to any position subject to any applicant screening process made the subject of this lawsuit.

/s/ Andrew C. Allen
Andrew C. Allen

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that on this the 7th day of January, 2008, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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/s/ Andrew C. Allen
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